

REMARKS/ARGUMENTS

The present amendment is submitted in an earnest effort to advance the case to issue without delay.

In view of the Examiner's withdrawal of allowability for claims 13 and 15-17, applicants have reintroduced claims earlier canceled. Care has been taken not to enter any new matter.

Claims 13 and 15-17 were rejected under 35 U.S.C. § 103(a) as unpatentable over Wieske (EP 0 253 429) in view of Hollo (JAOCS 1993). Applicants traverse this rejection.

Applicants have discovered a method and food composition with an improved anti-spattering performance in shallow pan frying of foods. It has been found that sunflower lecithin achieves an excellent anti-spattering effect. The benefits of sunflower lecithin for anti-spattering activity is found in Tables 1-3.

Wieske does not disclose any type of sunflower lecithin. There is neither native nor hydrolyzed versions of sunflower lecithin reported in this reference.

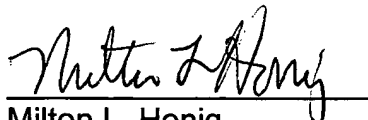
Hollo in the Abstract section discloses that sunflower lecithin is an additive feedstuff for piglets and porklings. By contrast, the present invention is related to human food compositions, specifically the compositions are suitable for shallow frying. There is no hint in Hollo that spattering performance when used in shallow frying may be improved.

Hollo was introduced for teaching hydrolyzed sunflower lecithin. While this is true, Hollo specifically states that "comparison of the available data shows no significant difference between soybean and sunflower lecithins". See page 97, left column, third paragraph.

Applicants have demonstrated in Tables 2 and 3 that secondary spattering inhibition (SV2) of both native and hydrolyzed sunflower lecithin are better than the soybean lecithin. Those skilled in the art would have no incentive for substituting the soybean lecithin of Wieske with the sunflower lecithin of Hollo. No advantage would have been taught for the use of sunflower lecithin over that of soybean lecithin. Indeed, Hollo emphasizes that users are reluctant to apply sunflower lecithin because it is more pasty and is, consequently, more difficult to handle. See page 997, left column, third paragraph. This teaches away from the present invention. For these reasons, a combination of Wieske in view of Hollo would not render the instant invention obvious.

In view of the foregoing amendment and comments, applicants request the Examiner to reconsider the rejection and now allow the claims.

Respectfully submitted,



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